

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
May 2, 2011**

CALL TO ORDER

Pursuant to due call and notice thereof, a regular meeting of the Shoreview City Council was called to order by Mayor Martin on May 2, 2011, at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance to the flag.

ROLL CALL

The following members were present: Mayor Martin; Councilmembers Huffman, Quigley, Wickstrom and Withhart.

APPROVAL OF AGENDA

Mayor Martin added a recognition for the Run & Romp event to the agenda.

MOTION: Moved by Councilmember QUIGLEY, seconded by Councilmember HUFFMAN, to approve the April 18, 2011 agenda as amended.

VOTE: **Ayes - 5** **Nays - 0**

PROCLAMATIONS AND RECOGNITIONS

Mayor Martin stated that on Saturday, May 7, 2011, the Run & Romp event will take place starting from the Community Center pavilion. Registration is at 8:00 a.m.

Mr. Mark Stange introduced Officer Steve Lally and Cody. He stated that this is the 12th Annual Run & Romp, sponsored by the Rotary Club. The Boy Scouts of America are also working on the event this year. Everyone is urged to participate. The funds are for the Ramsey County Canine Foundation. Officer Lally and Cody have attended four national conventions and taken either first, second or third prize.

Officer Lally and Cody gave a demonstration of their skills.

CITIZEN COMMENTS

There were none.

COUNCIL COMMENTS

Mayor Martin:

Gallery 96 will hold an art exhibition at the Shoreview Ramsey County Library, beginning May 6, 2011. The opening reception will be Friday evening from 6:00 to 8:00 p.m. The exhibition will be displayed for a month.

Every Friday and Saturday in May, the Ramsey County will be collecting hazardous waste at their Public Works facility at no charge. Anyone who brings in a mercury thermometer will receive a free digital thermometer.

The Roseville Area Schools Foundation is holding a big event on May 14, 2011, at Har Mar Mall. Tickets are \$10.00 for an individual and \$30.00 per family. There will be food from area restaurants, silent auction, and an art show.

Councilmember Huffman:

Cleanup day is Saturday, May 7, 2011, all day at the Ramsey County property on the corner of Highway 96 and Hamline Avenue.

Councilmember Wickstrom:

Applications are still being accepted for the Green Community Award. There will not be a tour this year. A reception for winners will be planned later.

The Shoreview Green Community Committee will meet on Wednesday, May 3, 2011. If you are interested in specific issues regarding a community garden or transportation, come at 6:30 p.m. The regular meeting will begin at 7:00 p.m. Anyone interested is welcome.

Councilmember Withhart:

On May 1, 2011, the City opened three hockey rinks for off-leash dog areas. The locations are Bobby Theisen, Bucher and Wilson parks.

CONSENT AGENDA

Councilmember Huffman requested that item No. 7, *Extension Request for Minor Subdivision - Greater Metropolitan Housing Corporation, 221 North Owasso Boulevard*, be considered separately. He is involved in that project and will abstain from the vote.

Councilmember Wickstrom noted a spelling correction in the April 18th minutes--Silverthorn does not have an "e" on the end.

MOTION: Moved by Councilmember WITHHART, seconded by Councilmember HUFFMAN, to adopt the consent agenda of April 18, 2011, approving the necessary motions and resolutions for item Nos. 1 through 6:

1. April 11, 2011 City Council Workshop Meeting Minutes
2. April 18, 2011 City Council Meeting Minutes, as amended
3. Receipt of Committee/Commission Minutes:
 - Economic Development Commission, March 22, 2011
 - Planning Commission, March 22, 2011
 - Human Rights Commission, March 23, 2011
 - Environmental Quality Committee, March 28, 2011
 - Environmental Quality Committee, April 25, 2011
4. Verified Claims in the Amount of \$584,411.11
5. Purchases
6. Establish Project and Authorize Professional Services Agreement - Lift Station Improvements, CP 10-02

VOTE: **Ayes - 5** **Nays - 0**

MOTION: Moved by Councilmember WITHHART, seconded by Councilmember QUIGLEY, to approve item No. 7 on the Consent Agenda, *Extension Request for Minor Subdivision - Greater Metropolitan Housing Corporation, 221 North Owasso Boulevard.*

Discussion:

Mayor Martin asked if the conditions of the permit have been met particularly in regard to the privacy fence. Mr. Schwerm stated that the privacy fence condition is included in the action proposed to be approved.

VOTE: **Ayes - 4** **Nays - 0** **Abstain - 1 (Huffman)**

PUBLIC HEARING

AUTHORIZE ISSUANCE AND SALE OF REVENUE NOTES - NORTHWEST YOUTH AND FAMILY SERVICES REFINANCING PROJECT

Presentation by Asst. City Manager/Community Development Director Tom Simonson

Northwest Youth and Family Services (NYFS) is requesting conduit financing from the City to issue revenue notes to refinance existing debt on the headquarters facility at 3490 Lexington Avenue. A preliminary resolution giving preliminary approval and the call for a public hearing was adopted by the Council in April. Although not directly involved in any financial obligation, the City issues debt on behalf of a non-profit organization, known as “conduit” financing. The

bank and borrower propose “bank qualified” financing not to exceed \$3.5 million. Bank qualification provides interest savings to the borrower, when the City does not reach a bonding limit of \$10 million a year. The City has no plans for bonding in 2011.

Documents include a loan agreement between the City and NYFS and a pledge agreement between the City and Anchor Bank, the bank conducting this transaction. The debt service will solely be paid by NYFS. The borrower is also responsible for paying all City costs relative to this matter. The borrower agrees to hold the City harmless from any liabilities in regard to this financing. The City’s bonding consultant and legal bond attorney confirm that all documents are in order and protect the City from any future risk or obligation. Staff is recommending approval of Resolution No. 11-25, after the public hearing.

City Attorney Filla stated that he reviewed the affidavit of publication. The required notice has been given, and the public hearing is in order at this time.

Mayor Martin opened the public hearing at 7:25 p.m. There were no comments or questions from the public.

MOTION: Moved by Councilmember WICKSTROM, seconded by Councilmember QUIGLEY, to close the public hearing at 7:26 p.m.

Councilmember Huffman stated that although he serves on the Board of Directors for NYFS, he does not have any financial interest in the passage of this resolution. City Attorney Filla responded that he does not see a conflict of interest for Councilmember Huffman to vote.

Councilmember Quigley asked what current issues that have brought about this financing request.

Mr. Hromatka explained that the building was purchased 12 years ago. The mortgage is to be refinanced. Also, there is refinancing for the Kay Andrews Center, which is also a service to the community. The new lock-in interest rate is anticipated at 4.7%, which will be a significant savings.

NYFS works with youth with mental health problems to the classroom learning environment from being disruptive to others. Children under the age of 5 are being diagnosed with mental health problems. NYFS participates in helping to identify these children and to work with families on how to work with them. The Youth Development Program is to support youth to achieve success in their education and prepare to find jobs and careers. He thanked Shoreview for all of its support for over 35 years.

MOTION: Moved by Councilmember WICKSTROM, seconded by Councilmember WITHHART, to adopt Resolution 11-25, authorizing the issuance and sale of Revenue Notes for the refinancing of debt by Northwest Youth and Family Services (NYFS), including the Loan

Agreement with NYFS and Pledge Agreement with Anchor Bank, and authorize the Mayor and City Manager to execute all necessary documents.

VOTE: **Ayes: Huffman, Quigley, Wickstrom, Withhart, Martin**
 Nays: None

GENERAL BUSINESS

APPROVAL OF INTERGOVERNMENTAL COOPERATIVE AGREEMENT FOR LANGE PROPERTY ACQUISITION AND USE

Presentation by Asst. City Manager/Community Development Director Tom Simonson

The Agreement is between the City of Shoreview, Ramsey County and Rice Creek Watershed District to establish equal sharing of acquisition costs to purchase the Lange property. Future uses for each governmental entity are described. The property consists of 4.5 acres on Lexington Avenue with 2.4 acres of wetland. It is undeveloped. The property owner has attempted to sell the property for many years. In 2007, Mendota Homes submitted a proposal to develop a 33-unit senior condominium, but the project was withdrawn. The property is adjacent to county-owned park land.

Last year, Mr. Lange approached the City about selling the property to the City, County and Rice Creek Watershed District (RCWD). It was determined that there is general public interest in the property and responded to Mr. Lange that consideration would be given to an “offer of sale.” An “offer of sale” was agreed upon in the amount of \$316,500. It was the consensus of the Council to participate at one-third of the purchase price, \$105,500. The City will also participate in one-third the cost of an environmental site evaluation, site survey, title insurance and prorated property taxes. The estimated additional amount is \$4,500 for the City. The City’s share will be paid through the Surface Water Fund. Ramsey County will execute the purchase agreement with the property owner and take ownership of the property.

The property will be incorporated into the county park immediately to the east. The City still receives credit toward the “no net loss” policy for recreational areas. The public interest in this property is to protect wetlands, protect the upland wooded area, improve storm water collection, add property to the County park system and preserve property for recreational enjoyment in the community.

Upon approval, the agreement will be forwarded to the County Board and RCWD. Closing on the property is anticipated by June 30, 2011.

Mayor Martin stated that it makes sense that these three governmental entities participate in the purchase. Each will receive benefit from the purchase.

Councilmember Huffman stated he is particularly pleased to see the “no net loss” credit to the City.

Councilmember Wickstrom stated that Mr. Lange had wanted to develop the property, but it has been difficult to find suitable development. This is the best option and will benefit everyone.

Mr. Schwerm commended Mr. Simonson for his perseverance on this project. He has been the link among the agencies for this project to move forward.

MOTION: Moved by Councilmember WITHHART, seconded by Councilmember HUFFMAN, to formally approve the Intergovernmental Cooperative Agreement between the Rice Creek Watershed District, Ramsey County, and City of Shoreview for participation in the purchase of the Lange property, subject to the following:

1. The City’s total cost associated with participating in this purchase is estimated at \$110,000 (\$105,500 is one-third share of purchase price plus another \$4,500 in miscellaneous costs), and would be paid for through the Surface Water Fund.
2. The City wishes to facilitate the acquisition of the property for public use because the County’s intended use of the property would be consistent with the City’s Comprehensive Plan; the City and residents will benefit from the added parkland; and the City shares the RCWD’s interest in the potential benefits from storm water management and wetland enhancement.
3. The City’s participation in acquiring this private property will provide 4.5 acres of park land in the community and it is understood that this purchase will be a positive credit of additional recreational property pursuant to the City’s “no net loss” of park land policies as it relates to future disposal of other remnant parcels owned by the City.
4. Minor modifications of the terms and language of this Agreement shall be allowed with the approval of the City Manager and City Attorney.

VOTE: **Ayes: Quigley, Wickstrom, Withhart, Huffman, Martin**
 Nays: None

APPOINTMENTS TO HUMAN RIGHTS COMMISSION AND BIKEWAYS AND TRAILS COMMITTEE

MOTION: Moved by Councilmember WICKSTROM, seconded by Councilmember QUIGLEY, to appoint Craig Francisco to the Bikeways and Trails Committee for a term ending January 31, 2012.

VOTE: **Ayes - 5** **Nays - 0**

MOTION: Moved by Councilmember WITHHART, seconded by Councilmember WICKSTROM, to appoint Bob Minton to the Human Rights Commission for a term ending January 31, 2013.

VOTE: Ayes - 5 Nays - 0

Mayor Martin stated that the Council would go into a workshop meeting immediately following adjournment.

ADJOURNMENT

MOTION: Moved by Councilmember HUFFMAN, seconded by Councilmember WITHHART, to adjourn the meeting at 7:50 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 16th DAY OF MAY 2011.

Terry C. Schwerm
City Manager